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PRICE TWO CENTS.

HUPPUGH, BANK DEPARTMENT

JOHN A. MASON INVITED TO BE GOV. DIX'S SECRETARY.

Mr. Dix has selected also his Superintendent of Public Works and his Military Staff—Income Tax Amendment Giving Democrats Much Concern.

ALBANY, Dec. 8.—Governor-elect John A. Dix spent the day talking with Winfield A. Huppugh, chairman of the Democratic state committee, and John A. Mason, the secretary of the committee. It is expected that Mr. Mason's appointment as secretary to the Governor will be announced to-morrow, together with the names of the men who are to be named as his legal advisers, his military secretary and members of his military staff, including the Adjutant-General and a State Superintendent of Public Works. Mr. Dix said to-night that he had practically completed his selections for these positions except one or two aides on his military staff.

Mr. Dix spent most of the day with Mr. Mason, and while he would not admit that he had appointed Mr. Mason to be his secretary he did say: "I hope Mr. Mason will see his way clear to accept the appointment as secretary to the Governor." Chairman Huppugh stopped off to see Mr. Dix on his way home from New York.

It is learned that Governor-elect Dix will request Mr. Huppugh to accept the position of Superintendent of Banks to succeed Orion H. Cheney, appointed by Gov. Hughes on November 24, 1909. The appointment of a Superintendent of Banks is for a term of three years and until his successor is appointed and has qualified. It was not known yesterday when Mr. Huppugh is to succeed Mr. Cheney.

Should Mr. Huppugh and Mr. Mason accept these two places the Democratic state committee will be compelled to select a new chairman and a new secretary. Mr. Huppugh is a resident of Hudson Falls and is an old business associate of Governor-elect Dix. Mr. Mason has been in the Democratic State and national politics for a quarter of a century. In the first Cleveland administration he was a Deputy Collector in the New York Custom House, and in the second Cleveland administration he was an Internal Revenue Collector for New York city. Mr. Mason enjoyed the confidence of Governors Cleveland, Flower and Hill. At one time while Deputy Collector he was an important member of the civil service commission having to do with Custom House affairs. Mr. Mason furthermore has been in the confidence of Richard Croker, Charles F. Murphy and the Democratic State chairman from Edward Murphy, Jr.'s time, and is popular with Democrats throughout the State. A bunch of Democrats said last night that Governor-elect Dix could make no more popular appointment.

A number of Democrats hereabout were engaged yesterday discussing proposed legislation on the Federal income tax amendment to the Constitution. The Democratic State platform declared: "We favor an amendment to the Federal Constitution to permit the imposition by Congress of an income tax, a tax which falls most evenly upon the people in proportion to their ability to share in the expense of government." The Rochester platform also declared "against all exaltation of Federal centralized control, to the destruction of home rule." The proposed Federal income tax amendment was defeated at Albany last winter and it has been defeated in Rhode Island, Massachusetts, Virginia and Louisiana, while it has been passed by the Legislatures of Alabama, South Carolina, Illinois, Maryland, Kentucky, Mississippi, Oklahoma and Georgia.

It was accepted by the Democratic State League at Saratoga after an all night fight and by a very close vote in the committee on resolutions. The Democrats in New York city who are looking into proposed legislation on the subject say that in their judgment the proposed amendment is altogether centralized and that the Legislature should memorialize Congress requesting that it be modified so as not to exaggerate State taxes. Indeed there are Democrats connected with the State organization who say that the plank adopted at Rochester was altogether too strong.

The Democratic State League has decided to retain its headquarters at Albany, Thomas M. Osborne, chairman of the League, is now in Europe.

The Republicans have begun to figure on Senate and Assembly leaders. For the first time in nearly twenty years the Legislature in Democratic hands has elected Senator George H. Cobb of Watertown as Republican leader last winter, having succeeded the late John Raines of Canandaigua. Senator Cobb was not very satisfactory to either the Old Guard or their factional opponents. Harvey D. Hinman of Binghamton and Edgar T. Brackett of Saratoga Springs have been suggested as material. Senator Hinman has been in the Senate five years, while Senator Brackett has been there since 1906 with the exception of one season and because of this seniority of service most of the Republicans down from the country yesterday said they favored Brackett.

The Senate will be made up of 29 Democrats, 21 Republicans and 1 Independence League. James F. Duhamel of the Seventh district, Kings county. There are two Democratic Senators below the Harlem River. Senator Josiah T. Newcomb of the Nineteenth, Manhattan, and Senator Eugene M. Travis of the Sixth, Brooklyn. Orlando Hubbs, who had been defeated, and is succeeded by James C. Long of Oyster Bay. Well known Republican Senators who were re-elected are J. Mayhew Wainwright of Rye, John A. Rose of Roseton, Victor M. Allen of Westchester, Senator Brackett, Seth G. Hawcock of Ilion, James A. Emerson of Warrensburg, Herbert P. Coats of Saratoga Lake, Senator Cobb, Ralph W. Thomas of Hamilton, Senator Hinman and Frank L. Platt of Painted Post. All of these names were gone over by the up-country Republicans yesterday when discussing a leader, and the choice, it was stated, now lies between Senator Hinman and Sena-

WILSON OUT FOR MARTINE

AS LEADER OF HIS PARTY HE MAKES A PUBLIC STATEMENT.

Stands by Result of Primary Vote for Senator, Such as It Was—His Utterance to Ex-Senator Smith—Break in Democratic Party in New Jersey.

TRENTON, N. J., Dec. 8.—Governor-elect Woodrow Wilson crossed the Rubicon in politics to-night by declaring that James E. Martine should be elected to succeed John Keane in the United States Senate and that if James Smith, Jr., were elected he would not go to Washington as the representative of the people of New Jersey. His declaration was in the form of a signed statement and was given out at his home in Princeton after its contents had been carefully considered. The statement follows:

"The question who should be chosen by the incoming Legislature of the State to occupy the seat in the Senate of the United States which will presently be made vacant by the expiration of the term of Mr. Keane is of such vital importance to the people of the State, both as a question of political good faith and as a question of genuine representation in the Senate, that I feel constrained to express my own opinion with regard to it in terms which cannot be misunderstood. I had hoped that it would not be necessary for me to speak, but it is:

"I realize the delicacy of taking any part in the discussion of the matter. As Governor of New Jersey I shall have no part in the choice of a Senator. Legally speaking, it is not my duty even to give advice with regard to the choice. But there are other duties besides legal duties. The recent campaign has put me in an unusual position. I offered it elected to be the political spokesman and adviser of the people. I even asked the voters who did not care to make their choice of Governor upon that understanding that the choice was made upon that understanding, and I cannot escape the responsibility involved. I have no desire to escape it. It is my duty to say, with a full sense of the peculiar responsibility of my position, what I deem it to be the obligation of the Legislature to do in this gravely important matter.

"I know that the people of New Jersey do not desire Mr. James Smith, Jr., to be sent again to the Senate. If he should be he will not go as their representative. The only means I have of knowing whom they desire to represent them is the vote at the recent primaries, where 48,000 Democratic voters, a majority of the whole number who voted at the primaries, declared their preference for Mr. Martine of Union county. For me that vote is conclusive. I think it should be for every member of the Legislature. Absolute good faith in dealing with the people, an unhesitating fidelity to every principle avowed is the highest law of political morality under a constitutional government.

"The Democratic party has been given a majority in the Legislature; the Democratic voters of the State have expressed their preference under a law advocated and supported by the opinion of their party, declared alike in platforms and in enacted law. It is clearly the duty of every Democratic legislator who would keep faith with the law of the State and with the avowed principles of his party to vote for Mr. Martine. It is my duty to advocate his election, to urge it by every honorable means at my command."

Mr. Wilson's unqualified declaration for Martine followed a conference he had with Mr. Smith at the latter's home in Newark on Tuesday evening at which the Governor-elect urged Mr. Smith to remove himself from the contest and to come out in support of Mr. Martine. When argument and persuasion failed to move Mr. Smith Mr. Wilson informed him that unless he retired as a candidate within forty-eight hours he would come out publicly for the election of Mr. Martine. Mr. Wilson had already conferred with a number of the Democratic members of the next Legislature and had urged them to support Martine as the choice of the primaries.

Even though the attitude of the Governor-elect was known it was scarcely anticipated that he would go so far as to say that the people of New Jersey did not wish Smith to represent them in the Senate, but that they did wish Martine. It had been generally recognized that the primaries, in so far as the Democratic candidates for the United States Senate were involved, were a farce and that a large part of the Martine vote was cast for him as a choice for the lesser of two evils.

Intimate friends of Mr. Smith were informed to-day that a statement favorable to Martine was imminent. They were also told that no statement which the Governor-elect might make would in any way influence the position assumed by Mr. Smith, unless it should be to hasten from him a statement that he desires to be elected to his old place in the United States Senate. That the Wilson statement means a final break between the Governor-elect and the wing of the Democratic party represented by Mr. Smith seems apparent. The effect of the break is more problematical.

Mr. Wilson has the advantage of a term before him as Governor with all the power and prestige of that office. On the other hand, he lacks experience in practical politics, in which Mr. Smith is an expert without a peer in the State. In addition there is not a county in which the Democratic organization does not owe a debt to Mr. Smith, who was the supporter of his party in its darkest years. As a consequence, Mr. Smith has hundreds of political friends who will not view his repudiation for the effervescent Martine with favor.

The Smith supporters in this vicinity to-night expressed the conviction that Mr. Wilson's statement marks the beginning rather than the end of the fight. They argued that a word from Mr. Smith making him an avowed candidate is all that is needed to rally sufficient members to his support to control the joint Democratic caucus. Even should there be no caucus, as is planned by the Martine contingent, Mr. Smith would still control the situation to the extent of making necessary his ratification of the candidate.

CHAMP CLARK WILL RESPEAKER

Two Hundred Representatives-Elect Have Pledged Their Support.

WASHINGTON, Dec. 8.—Two hundred Democratic Representatives-elect have pledged their support to the candidacy of Champ Clark of Missouri for Speaker of the next House. This insures Mr. Clark's election without a contest. If there was ever any disposition on the part of Representative Hay of Virginia or Representative Henry of Texas to oppose the Clark candidacy they have changed their minds and decided to drop in line behind the Missourian.

With the question of the Speakership of the next House disposed of, the Democrats are now doing a lot of thinking about the rules. A majority from the South believe that the party is pledged to a committee of committees which shall name the House committees, this function now being exercised by the Speaker. Mr. Clark is not enthusiastic over the proposed reform. He wants the Speakership with all the power and prerogatives that now attach to the office. This matter will be threshed out at a Democratic caucus to be held here just before the meeting of Congress in December, 1911. Until then Mr. Clark will make no formal announcement as to his attitude.

NEAR-SALOME FOR LONDON.

Chastened Version of Wilde-Drama Opera Applauded at Covent Garden.

LONDON, Dec. 8.—After a battle with the censor lasting five weeks Oscar Wilde and Richard Strauss' "Salome" was produced to-night at the Covent Garden Theatre under Mr. Beecham's management. It was "bowdlerized," but not excessively.

The name of John the Baptist was not mentioned, being replaced by the transparent euphemism "The Prophet." His head was cut off, but it was also cut out, it being supposed that the blood stained charger handed up from the well would not shock susceptibilities which might be outraged by the appearance of an actual head. The famous lip kissing passage gave way to "To death let me follow thee, O Prophet," and a few other concessions to taste met all the censor's demands.

Purists grumble that the play was spoiled, but as the action remains practically unchanged and as nine-tenths of the audience were acquainted with the original version the feeble subtleties introduced make really little difference from the operators' viewpoint. A large proportion of the audience went expecting and hoping to be shocked and when the play was over they were puzzled to understand what all the pother had been about.

The house was densely crowded. Hundreds waited twelve hours to secure unobtainable places. The opera was received with tremendous enthusiasm both as regards the music and the acting. Mme. Aino Ackté as Salome carried the audience with her and received a storm of applause upon the conclusion of the opera, cheer after cheering mingling with the long drawn rattle of handclapping. The principals were recalled sixteen times.

The critics were less unanimous than the audience, but with few exceptions they join in the enthusiasm for the music, singing and acting and the splendor of the mounting.

PASSAGE BURGLAR SHOT.

Later Found Near Death Wandering With His Wife—Manufacturer Shot Him.

Theodore Talpey, a manufacturer, was alone last night in his house in Pennington avenue, Passaic. He was sick and had retired early, putting out the lights. At about 10 o'clock he heard foot steps and then the creak of straining window catches. It seemed as though some one were trying the doors and windows on the ground floor, looking for a weak lock.

Mr. Talpey got a revolver and went down stairs. A man was working at a dining room window and as Mr. Talpey entered the catch gave way and a man came in. Mr. Talpey fired and the man turned and ran away.

Two hours later the police, who had been called to the house in Pennington avenue, heard that a man was wandering about the streets with blood on his head. A woman was with him. The police found them and arrested them both. The man said he was John Hanley of 237 Grove street, Jersey City.

He had a bad wound in the right temple. The woman, he said, was his wife. She gave her name as Jean Murray of the same address. The police figured that she had served as a lookout.

Sergeant Turner of the Passaic police and Capt. Larkins of Jersey City went to the house indicated by Hanley and found some broken up jewelry and a kit of burglar's tools. Turner recognized the jewelry as some stuff missing from Passaic.

The doctors at St. Mary's Hospital, Passaic, where Hanley was taken, said that his chances of recovery were slight.

PRESIDENT TAFT'S RETORT.

Reply to a Crier Who Grew Somewhat Testy in His Sanctum.

WASHINGTON, Dec. 8.—W. K. Kavanaugh, president of the Lakes to the Gulf Deep Waterway Association, called at the White House to-day with Representative Barthold of Missouri and other members of the association, for the purpose of presenting to the President resolutions adopted at the organization's recent meeting. At that meeting an attempt was made to pass resolutions criticizing Mr. Taft and charging him with lack of interest in the proposed fourteen foot waterway from the Lakes to the Gulf. Through heroic efforts on the part of Representative Barthold and one or two others of the President's friends the criticism was averted.

To-day when Mr. Kavanaugh reached the President's sanctum to present the resolutions his feelings flared up again. He thought Mr. Taft had been too indifferent toward the fourteen foot channel, and said so.

"Mr. Kavanaugh," said the President in reply, "I was on the bench long enough to learn that it is the duty of a Judge to listen to the testimony of any man, no matter how much he may have been abusing the Court at the corner grocery."

\$200 EXTORTED FOR LICENSE

EX-POICER CAPTAIN'S SON CAUGHT TAKING THE MONEY.

Says He Was Only the Go-Between and Threatens to Tell on His Principal in the Case—One Legged Newsman Had Complained to the Mayor of Graft.

Edward Cruise, a son of former Police Captain William Cruise, who was retired under the sixty year age clause by Commissioner Bingham, was locked up in the East Eighty-eighth street police station last night after he had accepted \$200 in marked bills from David Barisch, a one legged newspaper dealer with a stand at the northwest corner of Eighty-fourth street and Third avenue, in exchange for which money Barisch received a renewal of his stand license for the ensuing year. Such licenses can be obtained on the recommendation of the local Alderman.

The exchange took place in Barisch's home at 279 East Eighty-fourth street. Concealed in another room so that they heard and saw the transaction were George G. Freer, law examiner in Commissioner Fodick's office, and Policeman John J. Phelan, detailed to the Commissioner's office.

The arrest followed several complaints which have come to the Mayor's office regarding the operations of a city official in the matter of licenses for stands. The complaint from Barisch was turned over to the acting Commissioner of Accounts, H. M. Wise, who sent out Mr. Freer, acting Inspector Matthew J. Dobbins and Policeman Phelan to investigate.

Barisch told them that he had applied for a renewal of his license before it expired December 7. He was put off on one pretext or another until word finally came to him in a roundabout way that he would have to produce \$200 before he could secure his renewal. This was an impossible condition for him. He has a wife and family of four young children to support. Finding that he was going to lose his stand he complained to the Mayor.

After the investigators had heard this story they arranged the trap in which Cruise was caught. Barisch says that Cruise came to him several times and asked about the money. The appointment was finally made for yesterday afternoon. Barisch promised to have the \$200, in return for which Cruise was to bring the renewal of his license. Four marked fifty dollar bills were given to Barisch and Freer and Phelan concealed themselves in the house. Dobbins guarded the door.

At the appointed time, 5:30 o'clock, Cruise appeared, was admitted by Barisch and pulled the renewal of the license from his overcoat pocket.

"Well, have you got the money?" he asked. "I've got the license all right," said Barisch, "but it's an expensive license to cost \$200," said Barisch as he handed over the money.

"Oh, well, you'll be all right now," said Cruise and started from the house. Freer and Phelan followed him down the stairs. As he went out the street door he walked into the arms of Dobbins.

"You are under arrest," said Dobbins. "For what?" asked Cruise.

"Extorting \$200 from Barisch," "I never took a cent from him," said Cruise.

He was taken back into Barisch's home and for almost half an hour the search went on, but the \$200 could not be found. He was made to strip, but no money was found. Finally Dobbins began a new examination of Cruise's overcoat, which disclosed the bills tucked down tight under the cuff on the sleeve. Then Cruise was taken around to the police station, which is directly across the street from his father's home, and locked up. His father was sent for and came across from his home as his son was before the lieutenant's desk.

The prisoner is 36 years old and is a temporary clerk in the bureau of elections. When he was locked up he made the remark that he was not going to be "made the goat" for the man who was really to blame, and it is intimated that he has made a partial admission touching the man suspected.

Acting Commissioner Wise said last night that while there had been many complaints of similar graft it was difficult to get the victims to come to the front, but he hopes to persuade more of them now.

Michael J. Volkman is the Alderman from the Twenty-second Aldermanic district, in which Barisch lives. He was elected a year ago last November on a fusion Independence League-Republican ticket.

GIVE BOND FOR \$2,000,000.

Administrators of Mrs. Brinkerhoff's \$1,000,000 Estate.

WHITE PLAINS, Dec. 8.—A bond for \$2,000,000 has been filed in the Surrogate's office by Edward S. Theodore, Jr. and Helen F. Avery as administrators of the estate of the late Mrs. Mary E. Brinkerhoff of Hastings, whose estate is supposed to be worth close to \$2,000,000. The bond is furnished by the United States Fidelity and Guarantee Company of Manhattan, and it was approved to-day by Surrogate Millard.

A week ago the Surrogate admitted Mrs. Brinkerhoff's will to probate after a contest had been started and dropped temporarily. The administrators are the principal heirs under the will and they were selected because the executors named in the document are dead.

Although the will has been probated more than 125 heirs represented by twenty lawyers intend to bring proceedings in the Supreme Court to set aside the probate proceedings. The contesting heirs contend that Mrs. Brinkerhoff was not competent to make a will.

Appraising Shows Jewels. The case against Mrs. Theodore P. Shonts, who neglected to declare about \$15,000 worth of jewels she bought in Paris, may not reach Collector Loeb until to-morrow. The jewels are now in possession of the Appraiser, who will report their value. The impression in the Custom House yesterday was that Mrs. Shonts would be permitted to pay the duty and take the jewels.

STICK TO FOUR PER CENT.

Two Big Manhattan Savings Banks Decline to Reduce the Rate.

The trustees of the Seamen's Bank for Savings and the Emigrant Industrial Savings Bank voted yesterday to adhere to their regular 4 per cent. interest rate and not join the movement started last year by the Bowery, Union, Dry Dock and others of reducing the rate to 3 1/2 per cent. The Greenwich Savings Bank decided to hold its old rate of 4 per cent. for sums up to \$1,000 and 3 1/2 per cent. above that amount. The Citizens voted to pay 3 1/2 per cent. as it did six months ago. The Brooklyn Savings Bank and the Williamsburg Savings Bank have already announced that they will pay 4 per cent. The Union Dime has decided to continue paying 3 1/2 per cent. The Bowery and several others are understood to be contemplating the same policy.

FOR PAYING QUEEN'S DEBTS.

Secretary of the Treasury of the New Portuguese Government Arrested.

SPECIAL CABLE DISPATCH TO THE SUN. LISBON, Dec. 8.—The Secretary of the Treasury in the provisional Government has been arrested.

He is charged with using the public funds to pay the debts of former Queen Maria Pia, grandmother of King Manuel.

FORECLOSES ON LIBERTY TOWER.

Holder of Second Mortgage Begins Suit, Alleging Default.

Foreclosure proceedings were instituted yesterday against the Liberty-Nassau Building Company, which owns the Liberty Tower, recently completed at the northwest corner of Liberty and Nassau streets. The suit is to foreclose a second mortgage for \$400,000 assigned to Harold Goodman. Under its terms the mortgage became due ten days after the building company defaulted on the first mortgage of \$1,300,000 in the holder elected. The first mortgage interest was due on November 1.

The Liberty-Nassau Company is composed of a St. Louis syndicate which built the Fitzgerald Building, the Cohan Theatre, at Broadway and Forty-third street, and the Heidelberg Building, at Forty-second street and Broadway.

HUGS VANDERBILT HELD.

Man Accused of Swindling Women in England Said to Be an Indian.

SPECIAL CABLE DISPATCH TO THE SUN. LONDON, Dec. 8.—Joseph, the Indian who it is alleged under the name of Frederick Denny Vanderbilt swindled two women of the name of Taylor out of \$1,000 each and who was arrested to-day in the Marlborough street police court for the second time and was committed for trial.

The Indian, who is said to be an ex-convict and who is believed to be the same man who swindled other people on the Continent by the use of Mr. Vanderbilt's name, declares that he is a brother of Cornelius Vanderbilt, an uncle of the Duke of Marlborough and a relative of Payne Whitney.

The man who swindled the people on the Continent was said to be a mulatto. Counsel for the prosecution says this man is an Indian and that a previous serious conviction is recorded against him.

NO SECRET DIVORCES.

Brooklyn Judges Declare for the Widest Publicity.

Justices Aspinall, Putnam, Crane and Blackmar of the Supreme Court in Brooklyn yesterday joined in favor of the widest publicity in divorce cases and against restricting the newspapers in getting the facts. Justice Aspinall said:

"The more publicity the fewer divorces, I believe; at least the fewer collusive and fraudulent divorces. The Judges cannot be too careful to prevent even the suspicion of secrecy in divorce."

MASCAGNI ON A HOLIDAY.

Says Positively He's Coming Here in January for First Night of "Yosel."

SPECIAL CABLE DISPATCH TO THE SUN. ROME, Dec. 8.—Pietro Mascagni, the composer, is here spending a holiday. He will sail for New York early in January.

He says that all difficulties in New York have been smoothed and that he has promised definitely the Liebbers to attend the first performance of his opera "Yosel."

POET HAS KILLED 4 MEN.

Mexican Congress Holds Secret Session on Shooting Between Deputies.

MEXICO CITY, Dec. 8.—The action that Congress will take regarding the trouble between Deputies Miron and Chapital, the two Deputies who were engaged in a shooting affair yesterday, cannot be learned. A secret meeting was held this morning, but what decision, if any, was reached has not been made public.

According to the law Deputies charged with crime must first be tried by the House. If they are found guilty they are then turned over to the courts for trial.

It is said that Miron, who is a well known poet, has killed at least four men.

OPERA PRIZE JUDGES.

Hertz, Damrosch, Chadwick and Loesser Will Pick Winning Composer.

Giulio Gatti-Casazza announced last night the names of the committee of four who will select the prize winner in the competition for the best American opera by an American composer. The committee will be Alfred Hertz, Walter Damrosch, George W. Chadwick of the Boston Conservatory of Music and Charles M. Loesser of the Boston Symphony Orchestra. Twenty-five or thirty operas have been submitted.

MRS. EDDY'S DEATH

ENDANGERS CHURCH

No One Has Power to Act in Her Stead—End Never Contemplated.

LAWSCALL FOR HER CONSENT

Even Deeds to Ground Occupied by Mother Church Put in Jeopardy.

BOSTON, Dec. 8.—The five directors of the Mother Church of Christ, Scientist, implied inheritors of the power that lay in the hands of Mary Baker G. Eddy, have faced since her death and face to-day on the day of her burial a situation of such gravity that the continued existence of the Christian Science Church in anything like its present form is threatened.

This is because Mrs. Eddy herself, reliant, so it would seem, upon immortality, had so bound the very essence of the laws governing the church to her own personality that with Mrs. Eddy gone those left behind are powerless to revise the present laws or make new ones.

Not only is the major part of this constituent law of the Mother Church, which is codified in the "Manual of the Mother Church," rendered null and impossible of further application by Mrs. Eddy's death, but even one of the deeds conveying land upon which the magnificent First Church stands becomes void the minute that the board of directors revises this manual without the written consent of Mrs. Eddy.

Archibald McLellan, the chairman of the directorate, was asked yesterday if he knew of the existence of any written abrogation of power by Mrs. Eddy or of the transference by her to the directors or to any other person of the power which she held which would make the law of the Church self-operative.

"I know of no such instrument," said Mr. McLellan, and when he was further pressed regarding the startling situation in which the Church finds itself he said: "You are now raising an extremely critical and important question. I cannot answer intelligently until all of the directors have gone into consultation upon the situation."

By those words Mr. McLellan flitted the last cog into the wheel and revealed the position in which the directors of the Mother Church now find themselves and the Church itself.

Unless such a written transfer of power by Mrs. Eddy or testimony of withdrawal by her of the fiat which embraces the constituent law of the Church is found the directors of the Mother Church of the entire sect discover themselves in this position:

The Manual, which has already passed into its eighty-eighth edition, must forever remain as it is now with its last emendation, that covering the case of the Stetson rebellion. The manual cannot be exercised in its every provision in default of the consent, written or oral, of Mrs. Eddy. The board of directors itself is debarred from performing certain duties necessary to the continuation of the functions of the Church.

It was to Mr. McLellan and John V. Dittmore that questions concerning the contingencies arising out of this anomalous situation were propounded to-day. Mr. McLellan appeared to be surprised to have pointed out to him the various provisions which are now nullified by Mrs. Eddy's death. His pleasant and his unpremeditated confession of the gravity of the situation pointed out to him seemed to indicate that he too had believed in Mrs. Eddy's permanency on earth.

Mr. Dittmore, while joining McLellan in admitting the fact that no saving instrument from Mrs. Eddy was known to exist, wished to give the impression that he had hopes that when an examination of the departed leader's will and other papers was made it would be discovered that she had made provision against three-fourths of the situation. He said that Mrs. Eddy had feared with her own personality falling when the miracle of death came to her.

Even if by will Mrs. Eddy should be found to have conferred her right to exercise personal fiat over many of the important functions of the church law it is a question which must eventually be decided in the courts whether even that provision would be valid as against trusts involving the church property and to which one of the parties is still living.

Here is one of the keystone cruises in the problem which was brought straight to the door of the directors at the minute that Mary Baker G. Eddy died.

The article in the Manual under the heading "Amendment of By-laws," section 3, reads this way:

"No new tenet or new by-law shall be adopted nor any tenet or by-law amended or annulled without the written consent of Mary Baker Eddy, the author of our textbook 'Science and Health.'"

Article I, the first paragraph under the rules of the Manual and first of the chapter dealing with Church officers, reads:

"The Church officers shall consist of the pastor emeritus, a board of directors, a president, a clerk, a treasurer and two members."

Throughout all the remainder of the code of ecclesiastical law there are references to the necessity of the assent to this and that measure by the "pastor emeritus," or by Mary Baker Eddy. The terms are used synonymously. In many instances the signature of Mary Baker Eddy is directly stipulated as being necessary to certain approvals and certain requests.

When Mrs. Eddy died one of the last

FLORIDA'S FAMOUS TRAINS

10:15 A. M. 3:35 and 9:20 P. M. Superior roadway equipment and service via Panama and Atlantic Coast Line R. R.'s. 1219 B-way. Adm.

ALL DEERSTAMP FARM MANAGER

are made at the Farm, in Southboro, Mass. Their success is due to the high quality of the material and cleanliness of the preparation.—Adm.